

REMARKS

Claims 1, 3, 5-7, and 9 are pending in the application. Favorable examination in light of the remarks which follow is respectfully requested.

The Examiner is imposing a Restriction/Election Requirement on the claims, categorizing the claims as follows:

- Group I: Claims 1 and 3, drawn to a method for amplifying ATP;
- Group II: Claim 8, drawn to a method for rapidly detecting the presence of a microorganism;
- Group III: Claim 6-7, drawn to a kit for rapidly detecting the presence of a microorganism; and
- Group IV: Claim 9, drawn to a fusion protein.

Applicant elects with traverse Group I for examination. Claims 1 and 3 read on elected Species I.

Applicants traverses on the grounds that all the claims contain the same general inventive concept, as required under PCT Rule 13.1. In other words, the PCT rules for unity (this application is a National Phase entry from a PCT application) are satisfied. More specifically, all of the claims recite the feature that "a fusion protein that has a polyphosphate kinase and an adenylate kinase in this order from the N-terminal and that has been subjected to a treatment for removing ADP". Under the PCT rules, a group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the art. Since all of the claims recite the feature that "a fusion protein that has a polyphosphate kinase and an adenylate kinase in this order from the N-terminal and that has been subjected to a treatment for removing ADP", each of the claims possesses this inventive concept as a common or corresponding special technical feature. It is noted that the common inventive concept makes searching a reasonable (but not undue) task for the Examiner.

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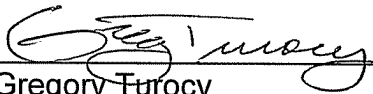
Therefore, reconsideration of the Restriction/Election Requirement is respectfully requested.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-1063.

Respectfully submitted,

**TUROCY & WATSON, LLP**

A handwritten signature in cursive script, appearing to read "Gregory Turocy", is written over a horizontal line.

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